

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 16-20055

Hon. Matthew F. Leitman

v.

XAZIER VEJION BONNER,

Defendant.

**ORDER (1) SETTING HEARING ON DEFENDANT'S
MOTION TO VACATE SENTENCE (ECF #64) AND (2) APPOINTING
DEFENDANT COUNSEL FOR HEARING**

On July 12, 2017, Defendant Xazier Bonner pleaded guilty to interference with commerce by robbery and brandishing a firearm during an in relation to a crime of violence. (*See* ECF #51.) The Court sentenced Bonner to a total of 96 months of imprisonment. (*See* ECF #59.)

Bonner has now filed a motion to vacate his sentence under 28 U.S.C. § 2255. (*See* ECF #64.) In the motion, Bonner argues, among other things, that his appointed counsel was ineffective for failing to file a Notice of Appeal as Bonner requested. (*See id.*) The Government filed a response to the motion on May 18, 2017. (*See* ECF #68.)

The Court will hold an evidentiary hearing at a time and date to be set by the Court to determine whether Bonner is able to prove that he timely asked his prior

counsel to file a Notice of Appeal. At the hearing, Bonner and the Government may also present legal argument concerning the other issues raised in his motion. The Court will appoint the Federal Defender's Office and that office shall assign an attorney from the CJA Panel to represent Bonner at the hearing.

IT IS SO ORDERED.

s/Matthew F. Leitman
MATTHEW F. LEITMAN
UNITED STATES DISTRICT JUDGE

Dated: July 13, 2017

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on July 13, 2017, by electronic means and/or ordinary mail.

s/Holly A. Monda
Case Manager
(810) 341-9764